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10/797,210	03/10/2004	Mark R. Adler	042933/273558	4173
826	7590	11/29/2007	EXAMINER	
ALSTON & BIRD LLP			AKBAR, MUHAMMAD A	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/797,210	ADLER, MARK R.	
	Examiner	Art Unit	
	Muhammad Akbar	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/10/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objection

1. Claim(s) 2-6, 8-12, 14-18 and 20-24 are objected to because of the following informalities:

Regarding claim 2-6, the phrase "A system" appears to be "The system".

Regarding claims 8-12, the phrase "A terminal " appears to be "The terminal".

Regarding claims 14-18, the phrase "A method" appears to be "The method".

Regarding claims 20-24, the phrase "A computer" appears to be "The computer".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim(s) 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al (U.S. Patent No. 7,046,999 B2) (hereinafter Wu).

Re claim 1, Wu discloses a system for synchronizing distributively presented multimedia object (i.e. audio equipment (5) like compact disc players, satellite audio and video receivers, computers) (see fig.1,2a and col. 5 lines 18-23), the system comprising:

a processing element (i.e. base station 10 of fig.1,3) is capable of sending an audio (i.e. content signal) to a mobile terminal (i.e. remote station 25 of fig.1,4) over an audio channel (i.e. audio data stream 12) (see fig.1 and col.2 lines 29-44),

wherein the content signal (audio) comprises timing, identification, and control message to form a packet (i.e. coded tone), the packet or content signal (i.e. coded tone) being representative of at least one audio equipment (i.e. multimedia object) (see fig.1,2 and col.2 lines 36-39, col.4 lines 14-28), and

mobile terminal (i.e. remote station 25 of fig.1,4) is capable of decoding the packet or content signal (i.e. coded tone) by decoder and reassembled thereby identify the multimedia object (i.e. audio equipment (5) like compact disc players, satellite audio and video receivers, computers) and each content signal (coded tone) represented by the audio equipments thereafter being driven to present the identified audio equipment (5) like compact disc players, satellite audio and video receivers, computers (i.e. multimedia object) (see fig.1,4 and col.2 lines 45-64,col.5 lines 44 -56, col.6 lines 21-28).

Re claim 2, as discussed above with respect to claim 1, Wu further discloses the processing element (i.e. base station 10 of fig.1,3) is capable of sending an audio (i.e. content signal) to the mobile terminal (i.e. remote station 25 of fig.1,4) during an

Art Unit: 2618

exchange of audio communication between the base station(10) and the remote station (25) (i.e. mobile terminal) over the audio channel (i.e. audio data stream 12) (see fig.1 and col.2 lines 29-44).

Re claim 3, as discussed above with respect to claim 2, Wu further discloses the processing element (i.e. base station 10 of fig.1, 3) is further capable of presenting audio equipment (5) like compact disc players, satellite audio and video receivers, computers) i.e. multimedia object (see fig.1,2a and col. 5 lines 18-23) as audio communication is exchanged by control message and acknowledgement of receipt between the remote station (25) and base station (10) (see fig.1 and col.3 lines 9-15), wherein the base station (10) is capable of sending the content signal (coded tone) to the remote station and content signal represented audio equipment (5) like compact disc players, satellite audio and video receivers, computers)(i.e. multimedia object) (see fig.1,2a and col.2 lines 30-64, col.4 lines 23-28,col. 5 lines 18-23).

Re claim 4, as discussed above with respect to claim 3, Wu further discloses the processing element (i.e. base station 10 of fig.1, 3) is capable of sending content signal (coded tone) to the mobile terminal which is represented audio equipment (5) like compact disc players, satellite audio and video receivers, computers) (i.e. multimedia object) by the base station in response to present the audio equipment (see fig.1,2a and col.2 lines 30-64, col.4 lines 23-28,col. 5 lines 18-23).

Re claim 5, as discussed above with respect to claim 1, Wu further discloses the processing element (i.e. base station 10 of fig.1,3) is capable of sending an audio (i.e. content signal) to a mobile terminal (i.e. remote station 25 of fig.1,4) over an audio channel (i.e. audio data stream 12) (see fig.1 and col.2 lines 29-44),

wherein the content signal (audio) comprises timing, identification, and control message to form a packet (i.e. coded tone), the packet or content signal (i.e. coded tone) (see fig.1,2 and col.2 lines 36-39, col.4 lines 14-28), and

the remote station (25 of fig.1, 4) is capable of retrieving by block recovery circuits (106 of fig.4), from buffer memory (110 of fig.4), the identified audio equipment (i.e. multimedia object) before presenting the identified audio equipment (see fig.1,4 and col.4 lines 14-28, col.8 lines 1-45).

Re claim 6, as discussed above with respect to claim 5, Wu further discloses the processing element (i.e. base station 10 of fig.1,3) is capable of sending content signal (coded tone) which is represented audio equipment (5) like compact disc players, satellite audio and video receivers, computers) (i.e. multimedia object) and received content signal comprising identification which presented the audio equipment (i.e. multimedia object) (see fig.1,3,4 and col.2 lines 30-64, col.4 lines 23-28, col. 5 lines 18-23).

Re claim 7, 13, Wu discloses a remote station terminal (25 of fig.4) and a method of synchronization comprising (see fig.1,2a) : a controller (129 of fig.4) is capable of

receiving content signal (i.e. audio) over an audio channel (i.e. audio data stream 12) (see fig.1,4 and col.2 lines 29-44),

wherein the content signal (audio) comprises timing, identification, and control message to form a packet or content signal (i.e. coded tone), the packet or content signal being representative of at least one audio equipment (5) like compact disc players, satellite audio and video receivers, computers (i.e. multimedia object) (see fig.1,2 and col.2 lines 36-39, col.4 lines 14-28),and

wherein the controller (129) is capable of communicating with a frame format (121 of fig.4) for synchronization such that, when the audio comprises at least one content signal (coded tone), the frame format (i.e. synchronization agent) is capable of decoding content signal (i.e. coded tone) by modulation circuits (125 of fig.4, col.8 lines 32-45) to thereby identify the multimedia object (i.e. audio equipment (5) like compact disc players, satellite audio and video receivers, computers) and thereafter driven controller (129) to present the identified audio equipment (5) like compact disc players, satellite audio and video receivers, computers (i.e. multimedia object) (see fig.1,4 and col. 2 lines 45-64, col.5 lines 44 -56, col.6 lines 21-28).

Re claim 8,14, as discussed above with respect to claim 7,13, Wu further discloses the remote station terminal (25 of fig.4) is capable of receiving an audio (i.e. content signal) (see fig.1,4) during an exchange of audio communication between the base station(10) (i.e. primary communication system) and the remote station (25)

(i.e. mobile terminal) over the audio channel (i.e. audio data stream 12) (see fig.1,3,4 and col.2 lines 29-44).

Re claim 9,15, as discussed above with respect to claim 8,14, Wu further discloses the remote station terminal (25 of fig.4) comprising controller (129 of fig.4) is capable of receiving content audio signal (i.e. coded tone) represents audio equipment (5) like compact disc players, satellite audio and video receivers, computers) i.e. multimedia object (see fig.1,2a,3,4 and col. 5 lines 18-23) and audio equipment (5) presented by the base station (10) during the exchange of audio communication control message and acknowledgement of receipt between the remote station (25) and base station (10) (see fig.1 and col.3 lines 9-15).

Re claim 10, 16, as discussed above with respect to claim 9, 15,Wu further discloses the remote station terminal (25 of fig.4) is comprising controller (129 of fig.4) capable of receiving content audio signal (i.e. coded tone) from the base station (i.e. primary communication system) and base station (10) sent content signal in response to present the audio equipment (see fig.1,2a and col.2 lines 30-64, col.4 lines 23-28,col. 5 lines 18-23).

Re claim 11,17, as discussed above with respect to claim 7,13, Wu further discloses the remote station terminal (25 of fig.4) is comprising a buffer memory (110 of fig.4) capable of storing content signal information of audio equipment (5) like compact

Art Unit: 2618

disc players, satellite audio and video receivers, computers (see fig.1,4 and col. 5 lines 18-23, col.8 lines 1-16);

Wherein the controller (129 of fig.4) is capable of retrieving by block recovery circuits (106 of fig.4), from buffer memory (110 of fig.4), the identified the audio equipment (i.e. multimedia object) before presenting the identified of audio equipment (see fig.1,4 and col.4 lines 14-28,col.8 lines 1-45).

Re claim 12,18, as discussed above with respect to claim 11,17, Wu further discloses the remote station terminal (25 of fig.4) is comprising controller (129 of fig.4) capable of receiving content audio signal (i.e. coded tone) and thereafter storing in the buffer memory (110 of fig.4), the identified the audio equipment (i.e. multimedia object) before presenting the identified of audio equipment (see fig.1,4 and col.4 lines 14 -28, col.8 lines 1-45).

Re claim 19, Wu discloses a communication system comprising base station (10 of fig.3) and remote station terminal (25 of fig.4) and a method of synchronization audio equipment (5 of fig.1) (i.e. multimedia object) wherein computer program product comprising computer readable storage medium buffer memory (110 of fig.4) having control code (88 of fig.3) and controller execute the program code (see fig.1,2,3,4) (i.e. it is an inherent that computer program have a program code and memory for storing the product code and execute the program code in the mobile communication system) comprising:

a controller (129 of fig.4) is capable of receiving content signal (i.e. audio) over an audio channel (i.e. audio data stream 12) at remote station (25) (see fig.1,4 and col.2 lines 29-44), wherein the content signal (audio) comprises timing, identification, and control message to form a packet or content signal (i.e. coded tone), the packet or content signal being representative of at least one audio equipment (5) like compact disc players, satellite audio and video receivers, computers (i.e. multimedia object) (see fig.1,2 and col.2 lines 36-39, col.4 lines 14-28), and

wherein the controller (129) is capable of communicating with a frame format (121 of fig.4) for synchronization such that, when the audio comprises at least one content signal (coded tone), the frame format (i.e. synchronization agent) is capable of decoding content signal (i.e. coded tone) by modulation circuits (125 of fig.4, col.8 lines 32-45) to thereby identify the multimedia object (i.e. audio equipment (5) like compact disc players, satellite audio and video receivers, computers) and thereafter driven controller (129) to present the identified audio equipment (5) like compact disc players, satellite audio and video receivers, computers (i.e. multimedia object) (see fig.1,4 and col.2 lines 45-64, col.5 lines 44 -56, col.6 lines 21-28).

Re claim 20, as discussed above with respect to claim 19, Wu further discloses the remote station terminal (25 of fig.4) is adapted to receive an audio (i.e. content signal) (see fig.1,4) during an exchange of audio communication between the base station(10) (i.e. primary communication system) and the remote station (25) (i.e. mobile

terminal) over the audio channel (i.e. audio data stream 12) (see fig.1,3,4 and col.2 lines 29-44).

Re claim 21, as discussed above with respect to claim 20, Wu further discloses the remote station terminal (25 of fig.4) comprising controller (129 of fig.4) is adapted to receive content audio signal (i.e. coded tone) represents audio equipment (5) like compact disc players, satellite audio and video receivers, computers) i.e. multimedia object (see fig.1,2a,3,4 and col. 5 lines 18-23) and audio equipment (5) presented by the base station (10) during the exchange of audio communication control message and acknowledgement of receipt between the remote station (25) and base station (10) (see fig.1 and col.3 lines 9-15).

Re claim 22, as discussed above with respect to claim 21, Wu further discloses the remote station terminal (25 of fig.4) is comprising controller (129 of fig.4) is adapted to receive content audio signal (i.e. coded tone) from the base station (i.e. primary communication system) and base station (10) sent content signal in response to present the audio equipment (see fig.1,2a and col.2 lines 30-64, col.4 lines 23-28, col. 5 lines 18-23).

Re claim 23, as discussed above with respect to claim 19, Wu further discloses the remote station terminal (25 of fig.4) is comprising a buffer memory (110 of fig.4) for storing content signal information of audio equipment (5) like compact disc players,

satellite audio and video receivers, computers (see fig.1,4 and col. 5 lines 18-23, col.8 lines 1-16);

Wherein the controller (129 of fig.4) is capable of retrieving by block recovery circuits (106 of fig.4), from buffer memory (110 of fig.4), the identified the audio equipment (i.e. multimedia object) before presenting the identified of audio equipment (see fig.1,4 and col.4 lines 14-28,col.8 lines 1-45).

Re claim 24, as discussed above with respect to claim 23, Wu further discloses the remote station terminal (25 of fig.4) is comprising controller (129 of fig.4) is adapted to receive content audio signal (i.e. coded tone) at remote station (25) and thereafter storing in the buffer memory (110 of fig.4), the identified the audio equipment (i.e. multimedia object) before presenting the identified of audio equipment (see fig.1,4 and col.4 lines 14-28,col.8 lines 1-45).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (7.96)

The following patent are cited to further show the state of the art with respect to clips and bookmarks in general:

U.S. Patent No. 6,377,822 to Grimes teaches wireless telephone system for visually displaying progress message.


U.S. Patent No. 6,381,472 to LaMedica, Jr. et al teaches wireless telephone system using TDD/TTY digital access.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Muhammad Akbar whose telephone number is (571)-270-1218. The examiner can normally be reached on Monday- Thursday (7:30 A.M.- 5:00P.M).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lana Le can be reached on 571-272-7891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MA


11-26-07
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PRIMARY EXAMINER